

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Criminal No.
03-10362-PBS

UNITED STATES OF AMERICA

v.

ANIBAL TORRES

FINAL STATUS REPORT

May 20, 2004

DEIN, M.J.

A Final Status Conference was held before this court on Thursday, May 20, 2004, pursuant to the provisions of Local Rule 116.5(C). Based on that conference, this Court enters the following report, in accordance with Local Rule 116.5(D):

1. The defendant intends to enter a plea. However, the plea agreement is not yet signed.
2. Discovery is completed.
3. There are no outstanding discovery issues. The defendant does not anticipate filing any dispositive motions.
4. Based upon the prior orders of the court dated December 12, 2003, December 19, 2003, December 22, 2003, January 22, 2004, April 1, 2004 and April 26, 2004, as of this date there are two days of non-excludable time under the Speedy Trial Act (January 20 - 21, 2004) and sixty-eight (68) days remaining under the Speedy Trial Act in which this case must be tried.¹

¹ Additionally, however, the parties having reported that the defendant has indicated an intention to enter a plea of guilty, this court hereby orders the entry of excludable time, pursuant to the provisions of 18 U.S.C. § 3161(h)(1), commencing on this date, and concluding at the time the defendant offers a plea or unequivocally communicates to the court that the defendant does not intend to offer a plea of guilty. See United States v. Mentz, 840 F.2d 315, 330-31 (6th Cir. 1988).

5. No trial is anticipated.
6. The file is hereby ordered returned to the District Judge to whom this case is assigned for further proceedings.

/ s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge